GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri N.V.Vasantha Rao, P&EI (Retired) involved in the two liquor syndicate cases of Nellore District – Implemented the orders dated 23.02.2021 in W.P.No.4051 of 2021 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 15.02.2023 in W.P.No.2945 of 2023 filed by Sri N.V.Vasantha Rao, P&EI (Retired), Guntur District for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.742 **Dated:14.08.2023**

Read the following:-

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1. From the DG, ACB, Lr.Rc.No.23/RCO-NNL/2012, Dt.12.10.2012 (Cr.No.02/RCO-NLR/2012).
2. From the DG, ACB Lr.Rc.No.70/RCO-NNL/2012, Dt.05.11.2012 (Cr.No.09/RCO-NLR/2012).
3. Govt. Memo.No.46420/Vig.V(2)/2012-1, dated:16-01-2013.
4. Govt.Memo.No.49902/Vig.V(2)/2012-1, dated: 16.01.2013.
5. G.O.Rt.No.138 Rev (Vig.IV) Dept., dated 10.03.2021.
6. Orders dated 23.02.2021 of Hon'ble High Court in W.P.No.4051 of 2021 fled by Sri N.V.Vasantha Rao, P&EI (Retired)
7. G.O.Rt.No.260, Rev(Vig.II) Dept, dated:18.04.2022.
8. Orders dated:15.02.2023 of Hon'ble High Court in W.P.No.2945 of 2023 fled by Sri N.V.Vasantha Rao, P&EI (Retired), Guntur District
9. Representation dated:20-03-2023 received from Sri N.V.Vasantha Rao, P&EI (Retired), Guntur District.
10. From CPE, AP, Vijayawada Lr.Cr.No.1827/2021/CPE/C4, dated:13.04.2023.

O R D E R :

Whereas Sri N.V.Vasantha Rao, P&EI (Retired), involved in two Liquor Syndicate cases of Nellore District along with other Prohibition and Excise officials, when he is in service. In Cr.No.02/RCO-NLR/2012, the DG, ACB has recommended his case to TDP besides Departmental action along with others and in another Cr.No.09/RCO-NLR/2012 recommended his case to TDP along with others. After following due procedure, Government entrusted his cases to TDP and orders were issued for initiation of departmental action against him along with others to CPE. Sri N.V.Vasantha Rao was retired from service on 30.06.2017.

2. And whereas, in respect of departmental enquiry, the charges framed against Sri N.V.Vasantha Rao, Retired P&E Inspector are held proved as the report submitted by Inquiring Authority. Government after examining the matter, imposed a penalty of withholding of five percent (5%) of monthly pension for a period of four (4) years against Sri N.V.Vasantha Rao vide reference 5th read above. Sri N.V.Vasantha Rao, P&E Inspector (Retd.) has filed a W.P.No.27769 of 2021 in the Hon'ble High Court on the punishment and for pensionary benefits. The case is pending before the Hon'ble High Court.

3. Whereas, in respect of TDP cases, the TDP issued charge memos against him in TEC Nos.598/2013, dated 17.01.2018 & 446/2013 dated:29.11.2018. Sri N.V.Vasantha Rao, P&EI (Retired), has filed W.P.No.4051/2021 before the Hon'ble High Court on the charge memos and for pensionary benefits. The Hon'ble High Court in it orders dated 23.02.2021 was setting aside the charge memos and directed the respondents to release pensionary benefits of the petitioner within three months vide reference 6th read above.

4. Whereas, in the reference 7th read above, the Government issued orders for implementing the orders of Hon'ble High Court and release all the retirement benefits to Sri N.V.Vasantha Rao, P&EI (Retd.), Nellore District subject to outcome of the writ appeal to be filed before the High Court.

5. Whereas in the reference 8th read above, Sri N.V.Vasantha Rao, P&EI (Retd.)., has filed W.P.No.2945 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

6. And whereas, the Hon'ble High Court in its order dated 15.02.2023 in W.P.No.2945 of 2023 has passed orders directing the respondent to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

7. And whereas in the reference 10th read above, Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri N.V.Vasantha Rao, P&EI (Retd.)., has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

8. Government after careful examination of the matter, and keeping in view of the orders dated 15.02.2023 in W.P.No.2945 of 2023 filed by Sri N.V.Vasantha Rao, P&EI (Retd.)., have decided to implement the orders of Hon'ble High Court dated 15.02.2023 and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri N.V.Vasantha Rao, P&EI (Retd.).

9. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri N.V.Vasantha Rao, P&EI (Retd.).

10. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

11. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated: 30.06.2023.

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N.V.Vasantha Rao, P&EI (Retd.) through the Commissioner of Prohibition and Excise Department, AP, Vijayawada
The Commissioner of Prohibition and Excise Department, AP, Vijayawada

Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., Guntur.
The District P&E Officer, Guntur.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER